

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

JIMMIE G. BILES JR., MD, a resident
of Wyoming,

Plaintiff,

vs.

JOHN HENRY SCHNEIDER, JR., MD,
MICHELLE RENE SCHNEIDER,
husband and wife, both residents of
Montana; JOHN HENRY SCHNEIDER,
JR., MD, PC a Montana corporation; and
JOHN DOES I-XXX,

Defendants.

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

FEB 29 2012

Stephan Harris, Clerk
Cheyenne

Case No. 11-CV-366-F

**ORDER DENYING DEFENDANTS' MOTION TO RELEASE DEPOSITION OF
LISA SHAURETTE FALLON**


This matter is before the Court on Defendants' motion to release Lisa Fallon's deposition testimony. Plaintiff's took Ms. Fallon's deposition on November 17, 2011 in Indiana. At the close of her deposition, her deposition was sealed by mutual agreement between Ms. Fallon's lawyers and Dr. Biles' lawyers, the parties in 11-CV-294- *Biles v. Fallon*. The parties agreed to seal Ms. Fallon's deposition to prevent her co-conspirators from reviewing her deposition prior to providing their own deposition testimony. Moreover,

on February 29, 2012, the Court granted Plaintiff's motion to seal Ms. Fallon's transcript and sequester witnesses.

Plaintiff alleges Defendants conspired to defame and injure Dr. Biles' reputation by using Ms. Fallon to publish a defamatory flyer about the Plaintiff to 14,239 Wyoming households. Plaintiff presented evidence to suggest Defendants may have been involved in a conspiracy to defame Plaintiff and continue to engage in that conspiracy to cover up the Schneiders' actions by having Ms. Fallon accept full responsibility for the defamatory flyer. Moreover, in opposition to this motion, Plaintiff presented evidence to suggest Defendants continue to conspire with Ms. Fallon throughout these proceedings.

The Court is convinced that good cause exists to continue sealing Ms. Fallon's deposition. Although this evidence is relevant to Defendants, there is a risk of extreme prejudice if Defendants are allowed to review Ms. Fallon's deposition prior to being deposed. Therefore, IT IS ORDERED that Defendants' Motion to Release Deposition of Lisa Fallon is DENIED. Defendants shall not review or otherwise learn of Ms. Fallon's deposition testimony until after Defendants have been deposed in this matter.

Dated this 29 day of February, 2012.


NANCY D. FREUDENTHAL
CHIEF UNITED STATES DISTRICT JUDGE